

AVAILABILITY OF MODIFIED TEXT

NOTICE IS HEREBY GIVEN that the Board of Podiatric Medicine has proposed a modification to the text of Section 1399.705 in Title 16 Cal. Code Reg. which was the subject of a regulatory hearing on June 6, 2003. A copy of the modified text is enclosed. Any person who wishes to comment on the proposed modifications may do so by submitting written comments on or before July 29, 2003 to the following:

Mischa Matsunami
Board of Podiatric Medicine
1420 Howe Ave., Suite #8
Sacramento, CA 95825

Please note that any comments should be restricted to the most recent modifications made to the proposed regulations. The board is not required to respond to comments received in response to this notice on other aspects of the proposed regulations. Any comments previously submitted remain in the rulemaking file.

DATED: July 7, 2003

James H. Rathlesberger
Executive Officer
Board of Podiatric Medicine

BOARD OF PODIATRIC MEDICINE

Modified Text (Section 1399.705)

Method used for indicating modified text:

- 1399.705: ~~deletion of originally proposed new text~~
new text

ARTICLE 9. INFORMATION DISCLOSURE

1399.705 Disclosure of Civil Settlements.

~~Upon request, the Board will disclose information in its possession concerning settlement of civil actions seeking recovery of damages for death or personal injury caused by the professional negligence, errors, or omissions of a doctor of podiatric medicine or his or her unauthorized practice as described below.~~

~~(a) For settlements of \$30,000 or more entered into prior to January 1, 2003, the Board will disclose the following information:~~

- ~~1) The date and amount of the settlement;~~
- ~~2) The case number, court and parties to the civil action; and~~
- ~~3) The following disclaimer:~~

~~“Settlement of a claim may occur for a variety of reasons that do not necessarily reflect negatively on the professional competence or conduct of the doctor of podiatric medicine. A payment in settlement of a medical malpractice action or claim should not be construed as creating a presumption that medical malpractice in fact occurred.”~~

~~(b) For settlements entered into on or after January 1, 2003, the Board will disclose information pursuant to Business and Professions Code Section 803.1(b) & 803.1(c) and regulations promulgated by the Medical Board of California.~~

Upon request, the Board will disclose information in its possession concerning settlements entered into on or after January 1, 2003 of civil actions seeking recovery of damages for death or personal injury caused by the professional negligence, errors, or omissions of a doctor of podiatric medicine or his or her unauthorized practice pursuant to Business and Professions Code Section 803.1(b) & 803.1(c) and regulations promulgated by the Medical Board of California.

NOTE: Authority cited: Sections 803.1 and 2470, Business and Professions Code; Section 6253, Government Code.
Reference: Section 803.1, Business and Professions Code; Section .